IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 157/2006

ROHIT BHARGAVA Vs. SMT. SARITA

DATE: 15.05.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Vivek Goyal for the petitioner.
Mr. L.M. Bhardwaj for the respondent.

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The instant criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the petitioner-husband against the judgment dated 09.01.2006 passed by the Family Court No.2, Jaipur in Case No. 2/2004, whereby the application of the respondent-wife moved under Section 125 Cr.P.C. has been allowed and maintenance of Rs. 1,500/- per month has been granted in favour of the respondent from the date of filing of the application i.e. 15.12.2003.

Learned counsel for the petitioner prayed that the maintenance awarded by the Family Court should be awarded from date of passing of the judgment i.e. 09.01.2006, whereas the same has been awarded from the date of filing of the application i.e. 15.12.2003.

Having considered the submissions made by the learned counsel for the petitioner and looking to the facts and circumstances of the case, in the interest of justice, I deem it proper to modify the impugned judgment dated 09.01.2006 passed by the Family Court No.2, Jaipur to the extent that the order of maintenance will be effective from the date of passing of the judgment i.e. 09.01.2006 and not from the date of filing of the application i.e. 15.12.2003.

Accordingly, the impugned judgment dated 09.01.2006 passed by the Family Court No.2, Jaipur is modified as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

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